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RUEHZJ/HUMAN RIGHTS COUNCIL COLLECTIVE IMMEDIATE  
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UNCLAS SECTION 01 OF 05 USUN NEW YORK 001008

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E.O. 12958: N/A  
TAGS: [PREL](#) [PHUM](#) [UN](#) [UNGA](#) [IS](#)  
SUBJECT: UNGA PASSES CONTROVERSIAL RESOLUTION SUPPORTING  
GOLDSTONE REPORT 118 FOR, 18 AGAINST, 44 ABSTAINING

REF: SECSTATE 115531

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¶1. (U) SUMMARY: The UN General Assembly met in plenary on November 4th and 5th to discuss the Report of the Human Rights Council (HRC) on the report on the UN fact-finding mission on the Gaza Conflict (the Goldstone Report). A draft resolution endorsing the report passed with 118 for, 18 against, and 44 abstentions. The U.S. delivered an explanation of vote affirming the importance of accountability and human rights, but noting the one-sided nature of the Goldstone Report and that UNGA is not the appropriate forum for follow up. The vast majority of speakers condemned Israel's military actions in Gaza, many using the terms "war crimes" and "crimes against humanity" to describe the events. Libya's comments were particularly vitriolic, claiming that Israel is a state built on "ethnic cleansing" and "genocide." Cuba, Nicaragua, and Venezuela criticized the U.S. for its support of Israel, with Venezuela blaming the U.S. for endorsing genocide. Judge Goldstone was praised for performing his mission with objectivity. Many countries that voted no or abstained explained their vote by saying that the report and process are biased and that the matter ought to have been discussed in the Human Rights Council. Some countries called on both the Israelis and Palestinians to follow up with independent and transparent investigations. The Palestine Observer promised to continue to pursue the matter, including in the Security Council, until all of the Israelis committing war crimes can be held accountable for their actions. END SUMMARY

¶2. (U) SPEAKERS LIST: The following delegations delivered interventions: Egypt, Palestine, Senegal, Sweden, Syria, Israel, Sudan, Iran, Turkey, Libya, Vietnam, Bahrain, UAE, Morocco, Lebanon, Oman, India, Liechtenstein, Japan, Algeria, Switzerland, Indonesia, Brazil, Jordan, Cuba, Ecuador, Qatar, Norway, Nicaragua, Djibouti, South Africa, Tunisia, Kuwait, China, Bangladesh, Saudi Arabia, Iceland, Mexico, Mauritania, Malaysia, Pakistan, Maldives, Venezuela, and the Observer of the Arab League. The following countries delivered explanations of vote: the United States, Israel, Argentina, the Philippines, Albania, Norway, Russian, Syria, Mexico, Chile, Guatemala, Malaysia, Australia, Canada, Netherlands, Brazil, Columbia, New Zealand, Iran, India, Costa Rica, Switzerland, Liechtenstein, Panama, Uruguay, Benin, Ireland, and Palestine.

¶3. (U) PRESIDENT OF GENERAL ASSEMBLY TREKI CALLS FOR UNITY: President of the General Assembly Ali Trekki opened the session, declaring that "for the sake of human rights, let us stand united." Assessing the Goldstone report, he noted that it "documents serious violations of human rights" for the people of Gaza. He called on delegations to leave politics at

the door and take up the issue based on one set of rules. He said that religion, race, and other factors should not matter, and "the question before us is simple despite the political sensibilities associated with it."

14. (U) EGYPT/NON-ALLIGNED MOVEMENT: Egypt, speaking on behalf of the Non-Aligned Movement (NAM), introduced the resolution and said it is seeking to "ensure accountability for all breaches of international humanitarian law and human rights law." Egypt called on the GA to "demonstrate its unequivocal support for human rights and the protection of civilians on both the Palestinian and Israeli sides." Egypt called on Israel to launch an investigation into the serious violations, and condemned the "targeting of civilians and civilian infrastructure" and those violations "committed by Israel, the occupying power, against the defenseless Palestinians civilian population."

15. (U) PALESTINIAN OBSERVER ACCUSES ISRAEL OF WAR CRIMES AND URGES DELEGATES TO TAKE ACTION: Palestinian Permanent Observer Riyad Mansour, affirmed the Goldstone Report and noted that it "constitutes a significant step towards ending the insidious culture of impunity" and will help to ensure "justice for the Palestinian people, who have for too long suffered the grave injustice inflicted upon them." Mansour said that only Israel "denies the right to self-determination and human rights of our people." He said this is a test of the international community to address the "illegal practices of the Israeli occupation, the last and longest in modern history." Mansour blamed Israel for causing "thousands of deaths and injuries among the civilian population, including among children and women, and wanton destruction of homes, vital civilian infrastructure, public institutions, industrial and agricultural properties and UN facilities."

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He said Israel engaged in "the willful killing of civilians" amounting to "human rights violations and grave breaches of international humanitarian law and war crimes." Mansour called for action, asking member states to work "individually and collectively, with the utmost urgency" and warning that "unchecked impunity and the absence of justice will only continue to obstruct peace efforts and prolong this tragic, painful conflict."

16. (U) ISRAEL CALLS REPORT BIASED AND REAFFIRMS COMMITMENT TO FIGHT TERRORISM: Israel's Permanent Representative Ambassador Gabriela Shalev began by expressing grief for innocent civilians killed in terrorist attacks in Baghdad, Peshawar, New York, and nearly twenty other locations, listing each one by name. She criticized the Human Rights Council for not investigating the more than 12,000 rockets fired by Hamas into Israel and called the report's objectivity into question, claiming that "Goldstone himself publicly conceded that if his fact-finding mission had been a judicial inquiry, a member of his team would have been disqualified for outright bias against Israel." According to Shalev, the evidence for the accusations in the Goldstone report is "at best uncorroborated, and at worst false." Shalev assured the audience that Israel is "committed to investigating every allegation of misconduct by its forces." She reaffirmed Israel's commitment to "two states for two peoples," but reminded delegates that to reach this goal, Israel "must know that terrorists will not have impunity as they turn our gestures of peace into weapons of war."

17. (U) HARSH CRITICISM AND MUTED SUPPORT FOR U.S. ROLE: Venezuela said that the "financial and military resources provided by the United States to the Government of Israel, as well as its protection in international forums endorse the genocide of the Palestinian people." Cuba said that Israel is able to "continue to enjoy impunity" only thanks to the support of the "superpower" and implied that the U.S. supports occupation by providing weapons to Israel. Nicaragua said the U.S. relationship with Israel is responsible for much of the ongoing violence in the Middle East. Morocco cast

the U.S. role in a more positive light, commending President Obama's efforts on the peace process.

¶18. (U) SYRIA AND OIC - ISRAEL ONLY SEES ONE TARGET:  
CIVILIANS: Syria, speaking on behalf of the Organization of the Islamic Conference (OIC), claimed that "all independent reporting pointed to serious violations of human rights and international law" and "confirmed the international community's worst fears of war crimes." Syria blamed Israel for its refusal to cooperate with 23 fact-finding missions and claimed that Israeli tanks and battleships "could see only one target on their radar screens: civilians." Syria commented that the "OIC has repeatedly cautioned that Israeli measures undermine the unity and integrity of the Palestinian people."

¶19. (U) IRAN ACCUSES ISRAEL OF ATTACKING CIVILIANS, CALLS FOR ACCOUNTABILITY: Iran drew on the Goldstone report to accuse Israel of using white phosphorus, placing Palestinians as human shields, using flechette munitions against civilians, targeting mosques, and committing other attacks on civilian objects as well as indiscriminate attacks. Iran claimed that the Israeli attacks were a violation of the "fundamental provisions of international humanitarian law" and that the military actions along with the "longtime blockade on the Gaza population" violated blatantly and grossly every human right of the Palestinian people." Iran called upon the General Assembly to take "measures with regard to ensuring accountability for serious violations of international humanitarian law and human rights."

¶110. (U) LIBYA BLAMES ARABS FOR NON-AGGRESSION, CONDEMS ARAB PEACE PLAN, SAYS ISRAEL IS FOUNDED ON GENOCIDE: Libya declared that Israel is a state "based on genocide and ethnic cleansing." Libya claimed that "the Zionists disregard the opinion of the international community" and that "Zionist crimes in Palestine began with the first Zionist settlers." Libya asserted that the "Israeli system is based on segregation so that when Palestinians seek redress through it, they will be dissatisfied." With respect to the Goldstone Report, Libya called it "neutral" and claimed that it "reflects all the facts." Libya urged the General Assembly to take a stand, because if resolutions are not implemented, "Israel is above the law" and the motto that "strong states are never held accountable" then ought to be included in the charter of the UN. Libya rejected the Arab

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Peace Plan and said that the Arab countries are guaranteeing Israel's security if they "will no longer fight" against Israel.

¶111. (U) MANY COUNTRIES PRAISE JUDGE GOLDSTONE AND HIS REPORT, LEBANON NOTING THAT GOLDSTONE BEING JEWISH ADDS TO ITS OBJECTIVITY: Lebanon implied that Goldstone's report is even more reputable since his daughter has called him a "Zionist who loves Israel." Lebanon said Goldstone is "biased, for one thing and one thing only: the truth." Djibouti contended that "in a rare display of balance, the report assesses blame on both Israel and Palestine." Kuwait said that the media attention shows how much damage the report has done and suggested this would help solve the problem of "Israel obscuring facts from the media and concealing evidence." Switzerland referred to the report as an objective reading of events and called the report very credible." South Africa co-sponsored the resolution and reiterated "its full confidence in Justice Goldstone. Saudi Arabia said Goldstone" closely saw the results of the destruction that resulted from the Israeli aggression against Gaza."

¶112. (U) WIDE CONDEMNATION FOR ISRAELI ACTIONS IN GAZA, FOCUSED ON CIVILIANS: Senegal, speaking as Chair of the Committee on the Inalienable Rights of the Palestinian People, agreed with the assessment that the "Israeli military operation was aimed at the people of Gaza as a whole" and accused Israel of totally disregarding responsibility under

international law. Sudan blamed Israel for attacking hospitals. Bahrain criticized Israel for attacking facilities, noting that even "UNRWA schools did not escape these acts of aggression." Lebanon blamed Israel for humiliating the Palestinian people and failing to differentiate between civilians and soldiers. Indonesia stated that the "Israeli offensive was a deliberate assault aimed at punishing, humiliating and terrorizing a civilian population, and radically diminishing its local economic capacity." South Africa highlighted a litany of Israeli actions in Gaza including the bulldozing of huge tracks of agricultural land, bombing of two hundred industrial facilities and destruction of Palestinian infrastructure that led to "the massive loss of innocent lives." Many countries condemned Israel for destroying Gaza's only flour mill during the operation. Malaysia said that "this military operation is not an aberration. Rather, it fits into a continuum of policies." Mauritania pointed to one incident at a school and accused the Israelis of launching a "deliberate attack that targets children."

¶13. (U) CALLS FOR ACCOUNTABILITY, AN END TO ISRAELI IMPUNITY, AND PUNISHMENT: Many member states called for preventing "impunity" and ensuring accountability. Algeria noted that it condemns "the continued impunity of Israel." Switzerland said it is up to the international community to ensure that violations do not go unpunished. Oman said that the "international community should have a firm stance against Israeli war crimes and should compensate the victims." The UAE stated its belief that the "violations are sufficient to legally convict Israel of committing war crimes and crimes against humanity in Gaza, which are punishable under international law." Switzerland believes the next step is for the "parties to the conflict to conduct their own independent inquiries," but failing this it is "up to the international community to ensure that these violations do not go unpunished." Brazil also called for accountability, that at this time should be "implemented primarily by the concerned parties." Senegal stated that some of the documented Israeli actions "should be prosecuted as war crimes."

¶14. (U) MANY COMPLAINTS ABOUT EAST JERUSALEM, HOME DEMOLITIONS, AND SETTLEMENT ACTIVITY: Numerous countries used the forum to discuss concerns other than Gaza. Jordan urged Israel to desist from sensitive excavations, building the partition wall, and destruction of homes, noting that these actions are likely to lead to even more violence. Qatar called for an end to settlement expansion in the West Bank, including East Jerusalem and for a cessation of "acts of terrorism" committed by "Israeli authorities, such as the closure and siege of the Al-Aqsa Mosque, preventing access of worshippers to prayer, and the threat of use of force." Tunisia reiterated the need for Israel to renounce its settlement policy. The Arab League accused Israel of "attempts to bring down Al-Aqsa mosque" through its excavation and tunnel-building activity. Saudi Arabia suggested that Israel's actions, particularly with respect to settlements and in Jerusalem, are placing "facts on the

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ground."

¶15. (U) NUMEROUS COUNTRIES EXPRESS DEGREES OF SUPPORT FOR ISRAELI POSITION: The E.U. urged a "complete stop to all violence, including a sustained halt of rocket attacks at Israel" and also called for the release of Israeli soldier Gilad Shalit. Senegal concurred with calls to release Shalit. Lichtenstein noted that "we are facing a level of selectivity" in the choice of countries and regions on which to focus investigations. Morocco provided a nuanced view in its strong criticism of Israel actions, noting that there is a "need to understand the feeling of being victimized by both parties." Japan recognized the "serious violations of international humanitarian law and human rights law by both Israel and the Palestinians" and called on both sides to take steps to address the report. Norway said that the report

shows that "both Israel and Palestinian groups may have been responsible for grave violations of international human rights." China "understands the security concerns of Israel, and is equally saddened by the civilian casualties of Israel." Iceland commented that it fully "recognizes Israel's legitimate security concerns, including over weapons smuggling."

¶16. (U) NEXT STEPS: INVESTIGATIONS AND RETURNING TO NEGOTIATIONS: Despite differences of opinion on the Goldstone report, nearly every speaker emphasized that the only road forward is a resumption of negotiations towards a two-state solution. Saudi Arabia reiterated that "the Arab Peace Initiative is still on the table." Mexico suggested "both the Israeli government and the Palestinian factions should form an inquiry mechanism." Bangladesh joined others in asking Israel to take immediate steps aimed at easing the living conditions for those in Gaza and urging it to "lift its embargo against Palestinians and immediately open all border crossings to allow for the free movement of goods, persons and humanitarian aid."

¶17. (U) PRIOR TO VOTE ISRAEL REQUESTS DEFINITIONS OF PALESTINIAN ENTITY: Israel asked for a point of clarification prior to the start of the vote. Israel requested clarification of operative paragraph four of the draft resolution, which called on "the Palestinian side" to make an independent investigation into the violations reported by the Goldstone Report. Israel asked if "Palestinian side" referred to the Palestinian Authority that had been ousted from Gaza in a coup or the " Hamas terrorist organization that tries to derail the peace process." Egypt, replying on behalf of the co-sponsors, noted that the "Palestinian Authority itself declared that they will conduct their own investigation, and Hamas, considered terrorists by Israel, but legitimately elected, has already expressed a willingness to cooperate." Egypt said it would be very happy if Israel could be equally cooperative.

¶18. (U) RESOLUTION ADOPTED 118-18-44: Draft resolution A/64/L.1, endorsing the Goldstone Report, passed with 114 in favor, 18 against and 44 abstaining. In addition to the United States, the following countries voted against the resolution: Australia, Canada, the Czech Republic, Germany, Hungary, Israel, Italy, Macedonia, the Marshall Islands, Micronesia, Nauru, Netherlands, Palau, Panama, Poland, Slovakia and Ukraine. The draft resolution can be found online at:  
[http://daccessdds.un.org/doc/UNDOC/LTD/N09/59\\_0/30/PDF/N0959030.PDF?](http://daccessdds.un.org/doc/UNDOC/LTD/N09/59_0/30/PDF/N0959030.PDF?OpenElement)  
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#### EXPLANATIONS OF VOTE

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¶19. (U) U.S. EXPLANATION OF VOTE: Ambassador Wolff delivered the US explanation of vote prior to the vote itself per reftel.

¶20. (U) ISRAEL: Israel said that "this draft resolution mocks the reality" of democratic countries facing terrorism. Israel said that the Human Rights Commission continues to engage in "politicized work that bends both fact and law." Albania (Y) said that "this resolution is not and should not be seen as a condemnation of anyone."

¶21. (U) PALESTINIANS: The Palestinian Observer thanked those that voted for the resolution and those that abstained. He said that abstentions count as support for the resolution because abstentions just reflect procedural concerns with the process. The Palestinians plan to revisit the idea of

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establishing a compensation fund with the UN High Commission for Human Rights and will continue with this process until the Israelis "who committed war crimes against the Palestinian people are brought to justice." The Palestinians



Observer also noted plans to follow up with Geneva on convening the high contracting parties and would continue to pursue Security Council action. Palestinians will "never accepts comparisons between occupier and victims," he said, and declared "international law is on our side."

¶22. (U) EOVS BY SUPPORTERS OF THE RESOLUTION: Although Albania voted yes, it said that "this resolution is not and should not be seen as a condemnation of anyone." Syria chastised the states that voted against or abstained from the resolution. Mexico "would have preferred different language," and stressed the importance of accountability, but said it does not agree with all the recommendations contained with the report. Chile said the HRC should play a role in monitoring compliance with the resolution. Brazil said that the crimes noted in the Goldstone Report should be fully investigated to prevent impunity and that other UN bodies should be involved. Iran warned countries against placing Israeli and Palestinian actions on the same footing. Ireland noted that its support for the work of Judge Goldstone moved it to vote for the resolution, but that does not mean that they it supports each and every element of the report.

¶23. (U) EOVS BY OTHERS: Norway (A) said investigations should remain independent and impartial and cautioned against "turning an existential question into a highly political debate." Russia (A) noted that the Goldstone report included "some conclusions that we could agree with" but others that needed work and debate should have remained in the HRC. Australia (N) called on both parties to inform the UN of the results of their investigations. Canada (N) said the report "preemptively presumed Israel's accountability." The Netherlands (N) said that "the resolution will not be conducive to re-launching Middle East peace talks." Costa Rica (A) would like to have seen a follow-up mechanism for the resolution. Panama (N) has "serious concerns about the language used" and while stressing accountability, believes that the report prejudged the outcome. Uruguay (A) asked the GA not to politicize the topic and called for an investigation of serious allegations.  
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